

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31066 of 2016
Date of Decision: 08.09.2016

Taljinder Singh @ Tinda

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Vipin Mahajan, Advocate, for the petitioner.

Mr.J.S.Riar, AAG Punjab.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.16 dated 16.03.2016, for the offence punishable under Sections 307, 354, 452, 34 IPC and 25/27/54/59 Arms Act, registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur, Punjab (Charges framed under Section 307 IPC and Section 27 of the Arms Act only).

As per allegations in the FIR, petitioner was making an attempt to pull Lovepreet Kaur daughter of Kulwant Singh inside a room with an intention to outrage her modesty. Baljit Singh @ Balla-friend of the present petitioner was standing outside the room on motorcycle. On seeing the complainant party Baljit Singh @ Balla ran away and came back after sometime along with Gurmeet Kaur-mother of the petitioner who gave him .32 revolver and raised lalkara to teach Kulwant Singh a lesson for raising a dispute with his son. At this, the complainant party ran away and Baljit Singh followed them. It is alleged that the complainant party reached near

the fields of one Mohinder Singh and there Baljit Singh @ Balla encircled them and allegedly fired three shots from the revolver which hit in the stomach and its near place of Kulwant Singh. After investigation, challan was presented and vide order dated 23.08.2016 (Annexure P-4), charges were framed against the petitioner. The petitioner is facing trial for the offence under Section 307 IPC.

Learned counsel for the petitioner submits that after this incident a cross case was registered by Joginder Singh to the effect that his son Baljit Singh @ Balla was murdered by the complainant side and petitioner also received as many as 16 injuries as per MLR (Annexure P-3), in this incident.

Learned counsel for the State submits that cancellation report in this case has been prepared which was approved by the SSP concerned. He further submits that 16 witnesses have to be examined in the matter.

The petitioner is in custody since 19.03.2016.

In view of the above and considering the fact that gun shot injuries have been attributed to Baljit Singh @ Balla, the petitioner be released on regular bail subject to the satisfaction of Duty Magistrate/Illaq Magistrate, Gurdaspur.

(RITU BAHRI)
JUDGE

08.09.2015
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